

Date: 11/03/1998

To: SAC, Pittsburgh

Attn: VIOLENT CRIMES

Section

For FBI Field Office use only

CM# 4024

From: SAC, PITTSBURGH (89A-PG-64410-ELA-1)(P)

Title: [redacted] aka

ET AL;
JOHN P. MURTHA-MEMBER OF CONGRESS
CCSCAKA-THREATNotification of SAC Authority Granted for Use of
CONSENSUAL Monitoring Equipment
(Check only one)☒ Routine Use☐ Emergency Use-Sensitive Circumstances (cannot exceed
30 days & May be extended only by FBIHQ).This form must be typewritten & submitted within 10 working days of
the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check)

☐ Corroborate Testimony ☐ Protect Consenting Party ☐ Protect Government Property ☒ Collect Evidence☐ Other (Specify) _____

2. Type of Equipment: (Check)

☐ Transmitter/Receiver ☐ Concealed Recorder ☐ CCTV/Audio & Video ☐ CCTV Video only ☐ Microphone ☒ Telephone☐ Other (Specify) _____3. Consenting Party (Identify ONLY on Field Office Copy)☒ Nonconfidential Party
☐ Confidential Source
☐ Cooperative Witness

4. Interceptee(s): (Include Title if Public Official)

[redacted]

& others as yet unknown.

5. Duration of Proposed use:

Authorized On: 10/29/1998
☒ For the duration of Investigation
☐ For 30 days (Emergency NTCM usage)
Expiring On: _____

6. Equipment Concealed:

☐ In a Motel Rm. ☒ In a Telephone
☐ In a Residence ☐ On a Person
☐ In a Vehicle
☒ Other (Specify) VOICE MAIL7. City & State where Equipment will
be used: _____

JOHNSTOWN, PA

8. The following mandatory requirements have been met:

☒ Consenting party has agreed to testify;
☒ Consenting party has executed a consent form; &
☒ Recording/transmitting device will be activated
only when consenting party is present.9. Government Attorney in judicial district where monitoring and/or
recording will take place has been contacted; foresees no entrapment;
& concurs in the use of the technique.☒ Yes ☐ No Date of Contact: 10/30/1998

Identity of Govt. Atty: AUSA [redacted]

Judicial District: WDPA

b6
b7C

10. Violation(s): Title(s) 18 Sec(s) 115(a)(1)(B) USC

11. DOJ notification required ☐ Yes ☒ No. If "Yes" check reason below:

NOTE: Requests for Routine NTCM usage involving any of the 7 sensitive circumstances requires a teletype to HQ prepared in the format described in the MIOG, Part II, Section 10-10.3(8). Request for Emergency NTCM usage involving item 6 below requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 7 sensitive circumstances do not apply to the use of CCTV video only.

1. ☐ Interception relates to an investigation of a member of Congress; a Federal Judge; a member of the Executive Branch at Executive Level IV or above; or a person who has served in such capacity within the previous 2 years.
2. ☐ Interception relates to an investigation of any public official and the offense investigated is one involving bribery; conflict of interest; or extortion relating to the performance of his/her official duties.
3. ☐ Interception relates to an investigation of a Federal law enforcement official.
4. ☐ Consenting/nonconsenting party is a member of the diplomatic corps of a foreign country.
5. ☐ Consenting/nonconsenting party is or has been a member of the Witness Security Program and that fact is known to the agency involved or its officers.
6. ☐ Consenting/nonconsenting party is in the custody of the Bureau of Prisons or the U.S. Marshals Service.
7. ☐ Attorney General; Deputy Attorney General; Associate Attorney General; Assistant Attorney General for the Criminal Division; or the U.S. Attorney in the district where an investigation is being conducted has requested the investigating agency to obtain prior written consent for making a consensual interception in a specific investigation.

12. Synopsis of Case: (Attach additional page if necessary)

On 12/3/97, [redacted] in a telephone conversation with an insurance agent regarding a disputed claim, threatened the life of the insurance agent and Congressman Murtha, among others. [redacted] initially transported by local police department to a local hospital for psychiatric evaluation. [redacted] subsequently prosecuted by local authorities regarding the threats directed toward the insurance agent, and on 9/2/98, was convicted in a jury trial. On 10/15/98, [redacted] was sentenced on the state charges to five years probation and ordered to undergo mental health evaluation. On 7/8/98, [redacted] was convicted in federal court in a jury trial of the threats directed toward Congressman Murtha. Sentence pending in federal court.

13. Justification statement necessitating emergency authorization:

☐ Emergency 30 day authorization granted due to imminent need (within 48 hours) for use of consensual monitoring device(s) which precluded the handling of this request in the usual manner.☐ Other (Attach Additional Page to Specify) Serialized [redacted]

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PHW/jr

COPYS

(Office ELA Case Subfile)

Filed [redacted]

Field Approval

14. CDC (if applicable) Signature: [redacted]

15. SSA/S Signature: [redacted]

Date: _____

Date: 10/29/98

FBIHQ Approval

16. Unit Chief (if Sensitive Circumstances Exist) Signature: _____

Date: _____

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